



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
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MAR 9 - 2017

Ref: 8ENF-AT-TP

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Seiberger
~~Cameron Pentz~~, PSM Coordinator/Refrigeration
Layton Bakery
PO Box 1050
500 N Sugar Street
Layton, Utah 84041

Re: Notice of Noncompliance (NON) - Clean Air Act (CAA) section 112(r)(7)

Dear Mr. Pentz: *→ (no longer employed)*

On April 29, 2015, the U.S. Environmental Protection Agency inspected Layton Bakery (LB), located in Layton, Utah, to evaluate compliance with the CAA section 112(r)(7) and the implementing Risk Management Program (RMP) regulations. The inspection revealed a compliance deficiency with the facility's implementation of the RMP regulations.

Based on the facts and circumstances surrounding the noncompliance at this facility, the EPA is exercising its discretion and not taking a penalty action for failure to comply with CAA section 112(r)(7). Instead, this office is transmitting this NON to give LB an opportunity to immediately resolve the deficiency. **This office is authorized to issue the NON on a one-time basis only. Non-compliance identified subsequent to the NON being issued will result in penalties being assessed against that facility.**

To resolve this matter, **within 30 days of receipt of this letter**, LB must submit a signed Statement of Certification (enclosed) confirming that LB is in compliance with CAA section 112(r)(7) and that the specific deficiency identified in paragraph 1 below has been corrected. If the Statement of Certification is not submitted in the time specified, LB may be subject to penalties for failure to comply with CAA section 112(r)(7).

CAA 112(r)(7) – RMP

The inspection revealed deficiencies in the facility's implementation of the RMP Program. The requirements and deficiencies are listed below:

1. **Requirement found at Subpart D – Prevention Program – Safety Information [40 CFR 68.65(d)(2)]**: The owner or operator shall document that equipment complies with recognized and generally accepted good engineering practices.

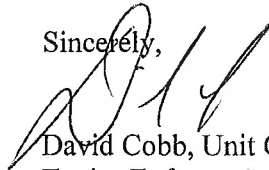
- *IIAR Bulletin No. 112, 6/98, section 4.2.1 (a) requires that "Lubricants or other combustible materials shall not be stored in the machinery room." LB has a Safety-Kleen model 30 parts washer installed in the machinery room. The safety data sheet for the Safety-Kleen solvent states that the solvent is a combustible liquid. In addition LB stores grease guns and a flammable storage cabinet in the machinery room that contains flammable chemicals.*
- *IIAR Bulletin No. 111 06/02. 3.4.2 requires that an ammonia concentration detector should be located low in the machinery room. LB does not have an ammonia detector that meets this requirement..*
- *IIAR Bulletin No. 111 06/02. 3.5.3 requires that an alarm should also be triggered whenever the ventilation system operating under non-emergency continuous mode fails so that corrective action can be taken. Suitable devices to detect continuous ventilation air flow are pressure differential monitors, ultrasonic monitors, or sail switches. LB does not have this type of alarm installed.*
- *ANSI/IIAR 2-2008 14.2.3 a-e requires that "When draining refrigerant oil to atmosphere, rigid piping routing the oil 2 to 4 ft [0.6 to 1.2 m] away from and within sight of the valves shall be provided. LB drain piping does not meet this specification.*

The enclosed Statement of Certification shall be signed and mailed to the address below within 30 days receipt of this letter:

Bob Frishman, SEE inspector
US EPA, Region VIII (8ENF-AT-TP)
1595 Wynkoop Street
Denver, Colorado 80202

If you have questions related to this correspondence, the inspection findings or need any clarification regarding compliance issues, please contact Bob Frishman at 303-312-6154 or frishman.bob@epa.gov.

Sincerely,



David Cobb, Unit Chief
Toxics Enforcement Program
Office of Enforcement, Compliance, and
Environmental Justice

STATEMENT OF CERTIFICATION

Layton Bakery

I certify that I am authorized to respond to this Notice of Noncompliance (NON) and, on behalf of Layton Bakery (LB), I certify under penalty of perjury that LB is in compliance with the CAA section 112(r)(7) and that the deficiency listed in this NON has been corrected. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Robert Seeburger

(Name)

Ralph Seeburger

(Signature)

Sr. Engineering Resource Leader

(Title)

April 5, 2017

(Date)